

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

DENISE CROWE,

Plaintiff,

v.

C.A. No. 05-98T

ROBERT C. MARCHAND, MD, et al.,

Defendants.

**ORDER DENYING MOTIONS *IN LIMINE***

For the reasons stated in open court,

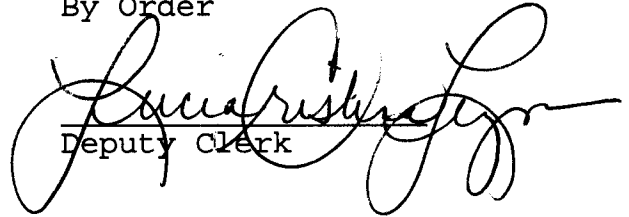
- (1) Plaintiff Denise Crowe's motion *in limine* to preclude evidence related to her alleged failure to mitigate damages by participating in occupational therapy is hereby DENIED, and
- (2) Defendant Robert Marchand's motion *in limine* to preclude certain testimony from Dr. Leo Rozmaryn is hereby DENIED.

Both denials shall be without prejudice to the parties' rights to object, at trial, to any evidence they believe to be inadmissible on the bases articulated in their motions.

Additionally, to the extent that any of Marchand's expert witnesses (including himself) will be asked to offer an opinion on the issue of Crowe's alleged failure to mitigate damages by participating in occupational therapy, Marchand is hereby ORDERED to make such witness(es) available to Crowe for re-deposition --

limited to that issue -- provided that Crowe notices any such deposition(s) not later than July 20, 2006.

By Order



Deputy Clerk

ENTER:



Ernest C. Torres  
Chief Judge

Date: 6/30/06